



**PATENT APPLICATION**

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of

Takatsugu DOI

Group Art Unit: 2853

Application No.: 10/826,410

Examiner: L. MARTIN

Filed: April 19, 2004

Docket No.: 119494

For: INK JET RECORDING METHOD AND INK JET RECORDING DEVICE

**REQUEST FOR RECONSIDERATION**

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In reply to the April 6, 2006 Office Action, the shortened statutory period for reply being extended by the attached Petition for Extension of Time, reconsideration of the rejection is respectfully requested in light of the following remarks. Claims 1-20 are pending in this application.

The Office Action rejects claims 1-3, 6-10, 13, 14, 17, and 18 under 35 U.S.C. §103(a) as being unpatentable over Kinomoto (U.S. Patent Application Publication No. 2003/0218662) in view of Suda (U.S. Patent Application Publication No. 2003/0213391); rejects claims 4-5 under 35 U.S.C. §103(a) as being unpatentable over Kinomoto in view of Suda and further in view of Takao (U.S. Patent Application Publication No. 2002/0077383); rejects claim 12 under 35 U.S.C. §103(a) as being unpatentable over Kinomoto in view of Suda and further in view of Shimizu (U.S. Patent No. 6,503,685); and rejects claims 15 and 16 under 35 U.S.C. §103(a) as being unpatentable over Kinomoto in view of Suda and further

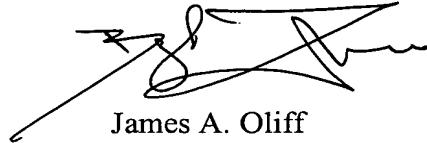
in view of Maze (U.S. Patent Application Publication No. 2001/0008411). Applicants respectfully traverse these rejections.

Specifically, Applicants assert that, in view of the attached accurate English translation of the foreign priority document JP 2003-115267 that perfects the present Application's claim to priority, the §103(a) rejections over Kinomoto are improper because Kinomoto does not qualify as a prior art reference. In particular, Kinomoto has a Patent Application Publication date (November 27, 2003) which is less than one year prior to the filing date of the present application (April 19, 2004). Thus, Kinomoto does not qualify as a prior art reference under §102(b). Furthermore, Kinomoto has a U.S. filing date (May 5, 2003) and a Japanese Application Publication Date (November 22, 2003) which are after the foreign priority date of the present Application (April 21, 2003). Thus, Kinomoto does not qualify as a prior art reference under §102(a) or §102(e). Therefore, because Kinomoto does not qualify as a prior art reference under either §102(a), §102(b), or §102(e), Kinomoto cannot be applied as a prior art reference under §103(a). Accordingly, Applicants respectfully request that the Examiner withdraw the rejections.

In view of the foregoing, it is respectfully submitted that this application is in condition for allowance. Favorable reconsideration and prompt allowance of claims 1-20 are earnestly solicited.

Should the Examiner believe that anything further would be desirable in order to place this application in even better condition for allowance, the Examiner is invited to contact the undersigned at the telephone number set forth below.

Respectfully submitted,



James A. Oliff  
Registration No. 27,075

Bogdan A. Zinchenko  
Registration No. 57,473

JAO:BAZ/hs

Attachment:

Accurate English Translation of JP 2003-115267  
Petition for Extension of Time

Date: August 7, 2006

**OLIFF & BERRIDGE, PLC**  
**P.O. Box 19928**  
**Alexandria, Virginia 22320**  
**Telephone: (703) 836-6400**

**DEPOSIT ACCOUNT USE  
AUTHORIZATION**

Please grant any extension  
necessary for entry;  
Charge any fee due to our  
Deposit Account No. 15-0461



### DECLARATION

I, Machiko Shoji, a staff member of TAIYO, NAKAJIMA & KATO, 3-17, Shinjuku 4- chome, Shinjuku-ku, Tokyo 160-0022, Japan, do hereby declare that I am well acquainted with the English and Japanese languages and I hereby certify that, to the best of my knowledge and belief, the following is a true and correct translation made by me into the English language of the documents in respect of Japanese Patent Application No. 2003-115267, that was filed on 21st April 2003 in the name of FUJI XEROX CO., LTD.

Dated this 11th day of July, 2006

Machiko Shoji

Machiko Shoji